2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Working Paper of Japan

1. Overview

1. As a cornerstone of the nuclear non-proliferation regime and a foundation for the promotion of nuclear disarmament, the Treaty on the Non-Proliferation of Nuclear Weapons has made immense contributions to maintaining and strengthening international peace and security since its entry into force in 1970.

2. In the light of the recent challenges to the Treaty on the Non-Proliferation of Nuclear Weapons regime, such as the Democratic People's Republic of Korea's nuclear programs and underground networks of nuclear proliferation, the proliferation of weapons of mass destruction, especially that of nuclear weapons, and their means of delivery, poses a great threat to international peace and stability. In order to address that problem, all States must strengthen their non-proliferation policies, reaffirm their commitment to disarmament and non-proliferation treaties and norms, including the Treaty on the Non-Proliferation of Nuclear Weapons, promote universalization of those treaties and ensure compliance with them.

3. Given the current international security environment, Japan considers it crucial for the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to unite to take effective actions to deal with emerging challenges to the Treaty on the Non-Proliferation of Nuclear Weapons regime, and make efforts to further strengthen the NPT regime. In order to make tangible contributions to the preparatory process for the 2005 Review Conference, Japan has presented at each session of the Preparatory Committee the following working papers:

- NPT/CONF.2005/PC.I/WP.7
- NPT/CONF.2005/PC.II/WP.15 and NPT/CONF.2005/PC.II/WP.18
- NPT/CONF.2005/PC.III/WP.11, NPT/CONF.2005/PC.III/WP.17 and NPT/CONF.2005/PC.III/WP.18 and Corr.1.

4. Japan also hosted the Tokyo Seminar on the Treaty on the Non-Proliferation of Nuclear Weapons entitled "Toward the 2005 Review Conference", which was held from 7 to 8 February 2005 in Tokyo, in order to provide a timely opportunity to pave the way to a successful outcome for the 2005 NPT Review Conference.

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5. Japan, as the only nation to have suffered atomic bombings, continues to adhere to its "Three Non-Nuclear Principles", of "not possessing, not producing and not permitting the introduction of nuclear weapons into Japan". The successive cabinets of Japan, including the current Koizumi Cabinet, have repeatedly articulated the "Three Non-Nuclear Principles", and there is no change in the position of the Government of Japan in that it continues to uphold those principles.

6. Japan, since its accession to the Treaty on the Non-Proliferation of Nuclear Weapons, has concluded its comprehensive International Atomic Energy Agency safeguards agreement and additional protocol in an effort to ensure transparency of its nuclear-related activities. Furthermore, in 1955, Japan promulgated the Atomic Energy Basic Law, which stipulates that the utilization of Japan's atomic energy be strictly limited to peaceful purposes.

2. Nuclear disarmament

7. The Treaty on the Non-Proliferation of Nuclear Weapons pursues both nuclear non-proliferation and nuclear disarmament. It is one of the most valuable achievements for international peace and security that an overwhelming majority of countries have decided to renounce the possession of nuclear weapons. That achievement should be taken seriously by nuclear-weapon States. In that regard, it should be recalled that the decision in 1995 to extend the Treaty on the Non-Proliferation of Nuclear Weapons indefinitely was an integral part of a package with "Principles and Objectives", which includes the promotion of nuclear disarmament. Nuclear-weapon States are urged to respond to such resolute determination on the part of non-nuclear-weapon States by demonstrating tangible progress towards nuclear disarmament.

8. The international community should realize a peaceful and safe world free of nuclear weapons at the earliest date possible. It is imperative that nuclear-weapon States strengthen and continue to take disarmament measures. In that regard, Japan calls for nuclear-weapon States to take further steps towards that aim, including deeper reductions in all types of nuclear weapons with greater transparency and in an irreversible manner, as well as to further reduce the operational status of nuclear weapons systems in ways that promote international stability and security. Japan also reaffirms, on this occasion, the necessity of a diminishing role for nuclear weapons in security policies to minimize the risk that those weapons will ever be used and to facilitate the process of their total elimination. In recent years, concern over the increasing possibility of the use of nuclear weapons has been expressed more frequently. As the only nation which suffered atomic bombings, Japan has strongly urged that nuclear devastation never be repeated. Japan is convinced that every effort should be made to avoid it. The threshold for the use of nuclear weapons must be kept as high as possible. In this vein, Japan believes that the international community should be well informed and ever conscious of the horrendous and long-lasting consequences of the use of nuclear weapons.

9. It is necessary for States parties, especially nuclear-weapon States, to faithfully make progress in implementing the nuclear disarmament measures agreed at the 2000 Review Conference, in the process of working towards their elimination. Japan has submitted a resolution entitled "A path to the total elimination of nuclear weapons" at each session of the General Assembly since 2000. Those resolutions

identify concrete steps towards the total elimination of nuclear weapons, based on the 2000 Review Conference agreements, and appeal to the international community for the necessity of progress in nuclear disarmament.

(a) Comprehensive Nuclear-Test-Ban Treaty

10. The Comprehensive Nuclear-Test-Ban Treaty is an historic milestone in the promotion of nuclear disarmament and non-proliferation in that it restricts the spread and qualitative improvement of nuclear weapons. The Comprehensive Nuclear-Test-Ban Treaty is one of the major pillars of the Treaty on the Non-Proliferation of Nuclear Weapons regime and is a practical and concrete measure towards a nuclear-weapon-free world. Efforts for universalizing the Treaty have resulted in the signature of 175 and ratification by 120 States in the eight years since its adoption in 1996. However, the Comprehensive Nuclear-Test-Ban Treaty has not yet come into force, thus negatively impacting the future of nuclear disarmament and non-proliferation and undermining the credibility of the Treaty on the Non-Proliferation of Nuclear Weapons.

11. Japan considers the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty extremely important and urgent, and has intensively worked to that end. Japan has been actively calling on all States that have not yet signed and ratified the Comprehensive Nuclear-Test-Ban Treaty, in particular those States whose ratification is required for the Treaty to enter into force, to sign and ratify the Treaty at the earliest opportunity both on bilateral occasions as well as in multilateral forums. The aforementioned General Assembly resolution sponsored by Japan that underlines the importance of the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty was once again adopted with overwhelming support at the fifty-ninth session of the General Assembly in 2004. Then Minister for Foreign Affairs, Yoriko Kawaguchi, attended the Third Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty in September 2003 to make a strong personal appeal.

12. Japan, together with Australia, Finland and the Netherlands, co-hosted the Comprehensive Nuclear-Test-Ban Treaty Friends Ministerial Meeting in September 2004. The Joint Ministerial Statement that was issued on that occasion underlined that progress on the early entry into force of the CTBT would also contribute to a positive outcome of the 2005 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference.

13. In response to the Final Declaration of the Third Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, the countries that have not yet signed or ratified the Comprehensive Nuclear-Test-Ban Treaty, especially those 11 States whose ratification is a requirement for its entry into force, are strongly urged to do so at the earliest possible date.

14. It is also important that efforts to establish a nuclear-test-ban verification regime undertaken by the Comprehensive Nuclear-Test-Ban Treaty Organization Preparatory Commission will continuously be made, including the International Monitoring System. As a part of the establishment of the International Monitoring System, the construction of domestic monitoring facilities has progressed steadily under the supervision of the Comprehensive Nuclear-Test-Ban Treaty National Operation System of Japan. Japan also contributed to the decision made at the Special Session of the Preparatory Commission of the Comprehensive Nuclear-Test-

Ban Treaty Organization on possible contribution of the Preparatory Commission to tsunami warning systems and other alert systems in March 2005.

15. Ambassador Yukio Takasu, Permanent Representative of Japan to the Comprehensive Nuclear-Test-Ban Treaty Organization Preparatory Commission, was elected as chairman of the Commission for 2004 and made every effort towards the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

16. Japan firmly believes that, pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, all countries have to maintain existing moratoriums on nuclear-weapon-test explosions or any other nuclear explosions. Also, it must be recalled again that in paragraph 3 of its resolution 1172 (1998), the Security Council called on all countries to refrain from carrying out any nuclear-weapon-test explosion or any other nuclear explosion in accordance with the provisions of the Comprehensive Nuclear-Test-Ban Treaty. Japan once again strongly urges all States not to carry out any nuclear-weapon-test explosions.

(b) Fissile material cut-off treaty

17. It is truly regrettable that, despite the conclusion of the 2000 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference, the Conference on Disarmament has not yet commenced negotiations on a fissile material cut-off treaty. Such negotiations must be commenced without delay. All nuclear-weapon States and the non-States parties to the Treaty on the Non-Proliferation on Nuclear Weapons should maintain or declare their moratoriums on the production of fissile material for any nuclear weapons, pending the entry into force of the fissile material cut-off treaty. That treaty is an important measure for promoting nuclear non-proliferation and disarmament. Conclusion of the treaty will be an essential building block towards the total elimination of nuclear arsenals and will also contribute to the prevention of nuclear proliferation by banning globally the production of fissile materials for nuclear weapons and enhancing transparency and accountability in the management of such materials through its verification system.

18. As a concrete contribution to the commencement of negotiations on the fissile material cut-off treaty, Japan presented a working paper on the treaty to the Conference on Disarmament on 14 August 2003, aimed at deepening discussions on the substantive issues of that treaty and facilitating the early commencement of its negotiations.

19. Japan regards it as a primary task to reach agreement on a programme of work at the Conference on Disarmament, thereby realizing the early commencement of negotiations on the fissile material cut-off treaty. Japan has been making its utmost efforts to break the current stalemate of the Conference on Disarmament. Japan redoubled its endeavours for that purpose during its Presidency of the Conference on Disarmament from 18 August to 31 December 2003; during that period, on 4 September, then Minister for Foreign Affairs of Japan, Yoriko Kawaguchi, attended the Conference on Disarmament and appealed for the early resumption of substantive discussion at the Conference on Disarmament, stressing the need and the urgency for the commencement of negotiations on the fissile material cut-off treaty.

(c) Reduction of nuclear weapons by nuclear-weapon States

20. Japan welcomes the progress achieved by the nuclear-weapon States on the reduction of their nuclear weapons, including the completion of the reductions of strategic offensive weapons according to the START I Treaty, the measures for unilateral reduction and the entry into force of the Treaty on Strategic Offensive Reductions concluded between the Russian Federation and the United States, which should serve as a step towards further nuclear disarmament.

21. Japan highly values the Treaty on Strategic Offensive Reductions ratified by the United States and the Russian Federation as guaranteeing, in legally binding form, the reduction of strategic nuclear weapons, which the United States and the Russian Federation each had already declared. Japan encourages both States to implement the Treaty fully and to continue their intensive consultations in accordance with the Joint Declaration on the New Strategic Relationship between the two States. Japan believes that all nuclear-weapon States should reduce their nuclear arsenals and hopes that the other nuclear-weapon States will undertake, unilaterally or through negotiations, further reductions of their nuclear arsenals, without waiting for the implementation of reductions to be undertaken by the United States and the Russian Federation. In that regard Japan hopes that the nuclear-weapon State(s), which has (have) not taken such measures so far, will immediately start to reduce its (their) nuclear arsenals.

(d) Non-strategic nuclear weapons

22. It is imperative for all States that possess non-strategic nuclear weapons to undertake measures to reduce them, while maintaining transparency, in accordance with the Final Document of the 2000 NPT Review Conference. Reducing non-strategic nuclear weapons is crucially important in terms of regional and international security, as well as non-proliferation and counter-terrorism. Furthermore, Japan hopes that the United States and the Russian Federation implement their initiatives on the reduction of their non-strategic nuclear forces completely and on a voluntary basis, as declared in 1991-1992, and provide data on the status of implementation of those initiatives.

(e) Assistance for denuclearization in States of the former Soviet Union

23. In June 2002, Japan announced its intention to make a contribution amounting to a little more than US$ 200 million for the G-8 Global Partnership, $100 million of which would be allocated to the disposition programme of Russian surplus weapon-grade plutonium, and the rest to other projects, such as the dismantlement of nuclear submarines.

Nuclear submarine dismantlement

24. Japan has already extended assistance to the Russian Federation by providing a floating facility for processing liquid radioactive waste treatment. In December 2003 Japan and the Russian Federation launched the first project of dismantling decommissioned nuclear submarines (Victor III class) and that project was completed in December 2004. Currently, Japan and Russia are making great efforts to conclude an implementing arrangement for dismantling five additional decommissioned nuclear submarines.

Management and disposition of Russian surplus weapon-grade plutonium

25. A significant amount of nuclear material, including weapon-grade plutonium, has been withdrawn from dismantled nuclear weapons as a result of ongoing nuclear disarmament efforts by the United States and the Russian Federation. It is an urgent task to prevent such material from being reused for military purposes or proliferated to a third country or terrorist group from the viewpoint of disarmament, non-proliferation and counter-terrorism. Japan's efforts in that field are twofold. Firstly, with the cooperation of Japan, 20 kilograms of weapon-grade plutonium, equivalent to two to three nuclear warheads, was successfully disposed of with the aid of advanced technology developed by Russian scientists, for the first time ever. Secondly, as mentioned above, Japan has pledged $100 million for a multilateral disposition programme of Russian surplus weapon-grade plutonium, and actively participated in the negotiations towards the establishment of such a programme. Japan strongly hopes that the outstanding issues such as liability, disposition methods and programme management will be solved as soon as possible and that actual disposition can start. Among others, Japan stresses the importance of verification that will be required to provide a reliable assurance of compliance with relevant agreements and of irreversibility of nuclear disarmament. Japan hopes that the Trilateral Initiative between the United States, the Russian Federation and the IAEA will be completed and implemented, and that adequate monitoring and inspections will be put in place.

International Science and Technology Centre

26. Japan signed the "Agreement for the Establishment of the International Science and Technology Centre" in 1992, and has been actively supporting the project since the inauguration of the Centre head office in Moscow in March 1994.

Assistance for denuclearization in former Soviet Union States other than the Russian Federation

27. As for the former Soviet Union States other than the Russian Federation, Japan has implemented projects, such as assistance for establishing the State System for Nuclear Material Accountancy and Control in Ukraine, Kazakhstan and Belarus, and medical assistance to workers involved in the dismantling of nuclear weapons in Ukraine and Kazakhstan.

(f) Reporting

28. The submission of regular reports by all States parties on the implementation of article VI of the NPT is one of the thirteen practical disarmament steps agreed to in the Final Document of the 2000 Review Conference and is an effective means to facilitate the implementation of specific disarmament measures.

29. It is encouraging that more reports were submitted to the second and third sessions of the Preparatory Committee than to the first one, thereby contributing to enhancing transparency. Japan also submitted its comprehensive report to each session of the Preparatory Committee. Japan hopes that this trend will be maintained and further strengthened. Discussion on specific methods of reporting should be continued.

30. Japan looks forward to all States parties, particularly nuclear-weapon States, putting forward reports on their efforts towards nuclear disarmament.

3. Non-proliferation

(a) Strengthening of the commitment to the Treaty on the Non-Proliferation of Nuclear Weapons and the IAEA safeguards

31. Japan attaches great importance to strengthening the reliability of the nuclear non-proliferation regime, and deems it vital to enhance the IAEA's capability of safeguards activities to assure the non-diversion of declared nuclear material which has been placed under safeguards in each State and the absence of undeclared nuclear material and activities for the State as a whole.

32. In that respect, Japan reminds all States parties that the Final Document of the 2000 NPT Review Conference recommends, among other things, the consideration of ways and means to promote and facilitate the conclusion and entry into force of comprehensive safeguards agreements and additional protocols, and welcomes the efforts made by the IAEA to develop the Plan of Action to Promote the Conclusion of Safeguards Agreements and Additional Protocols, last updated in February 2005, and to seek universal adherence to the Comprehensive Safeguards Agreement and the Additional Protocol.

33. Japan strongly believes that the universalization of the Additional Protocol is the most realistic and effective means to strengthen the current international non-proliferation regime. The Additional Protocol can play a pivotal role in increasing the transparency of nuclear-related activities of States by providing the IAEA with the enhanced verification ability to, inter alia, verify the absence of undeclared nuclear material and activities as well as additional information on nuclear-related research and development, export and import.

34. Since the conclusion of its additional protocol in 1999, Japan has been actively taking initiatives, in cooperation with the IAEA and like-minded countries, to strengthen the IAEA safeguards through the universalization of the Additional Protocol. Japan's devoted efforts towards that end include hosting of the International Symposium for Further Reinforcement of the IAEA Safeguards in the Asia Pacific Region, held in June 2001, and the International Conference on Wider Adherence to Strengthened IAEA Safeguards, held in December 2002, and contribution to a series of regional seminars in terms of financial and human resources. Japan also hosted the Second Asian Senior-Level Talks on Non-Proliferation, in February 2005, in which the universalization of the Additional Protocol was discussed in depth, and conducted other outreach activities both independently and jointly with the IAEA and like-minded countries. In that regard, Japan welcomes the resolution adopted by the IAEA General Conference in 2004 (GC(48)/RES/14), which pointed to Japan's "commendable efforts ... in implementing elements of the Plan of Action." Furthermore, Japan has been actively conducting the G-8 worldwide joint démarches since 2004 with the other G-8 members to facilitate further universalization of the Comprehensive Safeguards Agreement and the Additional Protocol.

35. Those efforts, together with those of other States and the IAEA secretariat, have led to a higher level of interest and understanding on the importance of the

Additional Protocol and the steady increase in the number of States that have signed and/or concluded an additional protocol in recent years. Currently, 65 countries have their additional protocols in force, as opposed to only 9 in April 2000 when the last Treaty on the Non-Proliferation of Nuclear Weapons Review Conference was held. It is worth mentioning that 24 countries brought into force additional protocols in 2004, although the number has not reached a substantial level. Japan urges those States parties that have not yet concluded a comprehensive safeguards agreement and/or an additional protocol with the IAEA to do so without further delay. Japan believes that the strengthened safeguards system should constitute the NPT safeguards standard as required by paragraph 1 of article III of the Treaty on the Non-Proliferation of Nuclear Weapons from a certain date.

36. Japan welcomes the IAEA's completion of the conceptual framework for integrated safeguards as well as its application to those States parties that have achieved a good track record on the IAEA safeguards activities based on both comprehensive safeguards agreements and additional protocols. Japan recognizes the importance of promoting the adoption of integrated safeguards with a view to maximizing the effectiveness and the efficiency of the IAEA's safeguards activities within available resources, given the limited safeguards resources and ever-growing verification needs. Japan encourages the IAEA to take the necessary steps to strengthen integrated safeguards approaches. Japan reminds all States parties that the introduction of integrated safeguards in a State requires sincere implementation of its Comprehensive Safeguards Agreement as well as its Additional Protocol.

37. Recognizing the strong necessity of taking further measures to close the loopholes of the Treaty on the Non-Proliferation of Nuclear Weapons/IAEA regimes, Japan supports the idea of creating the IAEA Special Committee on Safeguards and Verification, which was formally proposed and discussed at the IAEA Board of Governors Meeting in March 2005. Japan is ready to participate in further discussion on the matter.

38. Moreover, strengthening the non-proliferation regime is a matter which should also involve non-States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Given the imminent importance of enhancing non-proliferation, Japan calls upon non-States parties to place all nuclear material under IAEA safeguards and conclude an additional protocol.

(b) Export controls

39. The role of export controls, as required by paragraph 2 of article III of the Treaty, is crucial to achieving nuclear non-proliferation. The revelation of Dr. Khan's underground network has reinforced the importance of export controls as a key towards that goal.

40. In that regard, the multinational export control regimes for nuclear-related materials, equipment and technology, i.e., the Zangger Committee and the Nuclear Suppliers Group, have played an important role in ensuring the implementation of the obligation with regard to export controls under the Treaty. Japan urges those States parties that have not yet done so to establish and implement appropriate effective national rules and regulations on export controls over both nuclear and nuclear-related dual-use items, based on the Zangger Committee Understandings (INFCIRC/209/Rev.2) and the Nuclear Suppliers Group Guidelines (INFCIRC/254/Rev.7/Part 1 and INFCIRC/254/Rev.6/Part 2). In this regard, Japan

notes that Security Council resolution 1540 (2004) of 28 April 2004 requires all States to establish, develop, review and maintain appropriate effective national export controls.

41. As called upon by previous Review Conferences of the Treaty, the Zangger Committee and the Nuclear Suppliers Group have been actively engaged in outreach activities to help the States parties to better understand the activities of the Zangger Committee and the Nuclear Suppliers Group, and also help them to establish their domestic export control laws and regulations. Japan believes that those multinational export control regimes can play an even more crucial role in assisting the States parties to establish and implement appropriate effective national laws and regulations with regard to export controls, as required by the Security Council in its resolution 1540 (2004).

Special controls on the transfer of sensitive material, facilities, equipment and technology

42. In particular, Japan recognizes the necessity of introducing new measures to place special controls on the transfer of sensitive material, facilities, equipment and technology that could be used in the development of nuclear weapons, such as those related to enrichment and reprocessing, and urges all States parties to exercise restraint in and vigilance over such transfer. In that regard, Japan welcomes the continuing, devoted efforts to update the Nuclear Suppliers Group Guidelines by the Nuclear Suppliers Group participating Governments.

IAEA Additional Protocol as a precondition of supply

43. With regard to the required safeguards in paragraph 2 of article III of the Treaty, Japan urges the States parties to reaffirm paragraph 12 of Decision 2 (Principles and objectives for nuclear non-proliferation and disarmament), adopted on 11 May 1995 by the Review and Extension Conference of the Parties to the Treaty, in which States parties agreed that new nuclear supply arrangements to non-nuclear-weapon States should require, as a necessary precondition, acceptance of IAEA's full-scope safeguards. Japan further urges the States parties to agree that new nuclear supply arrangements of all the items in the Trigger List of the Zangger Committee Understandings and of the Nuclear Suppliers Group Part 1 Guidelines to non-nuclear-weapon States should require, as a necessary precondition, the conclusion of additional protocols. In that regard, Japan welcomes the continuing, devoted efforts to update the Zangger Committee Understandings and the Nuclear Suppliers Group Guidelines by participating Governments of the respective multinational export control regimes.

Means of delivery of nuclear weapons

44. Recalling that the preamble of the Treaty refers to the elimination from national arsenals of nuclear weapons and the means of their delivery, the issue of proliferation of nuclear weapons should be addressed in conjunction with the issue of proliferation of their means of delivery.

45. In that regard, the multinational export control regime for the means of delivery of weapons of mass destruction, and related materials, equipment and technology, i.e., Missile Technology Control Regime, has played a significant role in confining the risk of proliferation of such means of delivery. Japan continues to

maintain stringent export controls as a member of the Missile Technology Control Regime to prevent the proliferation of means of delivery of weapons of mass destruction, and related materials, equipment and technologies.

46. Furthermore, Japan was deeply involved in and contributed to the drafting of the Hague Code of Conduct against Ballistic Missile Proliferation. Japan highly values the successful launch of the Hague Code in November 2002 and the adoption by the General Assembly of resolution 59/91 of 3 December 2004 on the Hague Code of Conduct against Ballistic Missile Proliferation with 161 countries' support, and has been making efforts to universalize the Hague Code by promoting dialogue with non-participating States, in particular ASEAN countries.

(c) Measures against nuclear terrorism

47. Since 11 September 2001, the international community has renewed its awareness of the real and imminent threat of the acquisition by terrorists of nuclear weapons and material. In order to prevent terrorism involving nuclear weapons or material, the international community must cooperate at the regional and international levels, and exert individual and collective efforts in relation to exchanges of information, border control and physical protection of nuclear material and nuclear facilities. In that respect, Japan urges the States parties to the Convention on the Physical Protection of Nuclear Material to participate in the Conference of Plenipotentiaries in July 2005 and to agree on amendments to strengthen the Convention on the Physical Protection of Nuclear Material.

48. The IAEA has an essential role to play in that area. Japan has already contributed half a million United States dollars to the IAEA's Nuclear Security Fund, and has financed, jointly with other like-minded countries, the project to upgrade the nuclear material accounting and control system in the ULBA Fuel Fabrication Facility in Kazakhstan. Since the safe and secure management of radioactive sources is becoming increasingly important, Japan supports the United States proposal to improve global control of radioactive sources. Japan also supports the revised Code of Conduct on the Safety and Security of Radioactive Sources, endorsed at the IAEA General Conference in September 2003, as well as Guidance on the Import and Export of Radioactive Sources approved at the IAEA Board of Governors in 2004, and calls upon other countries to support and take the necessary measures to implement them.

49. Japan is certain that the Additional Protocol can play a meaningful role in preventing such sensitive materials from falling into the hands of terrorists because it enables the IAEA to receive additional information on the export and import of nuclear source material, non-nuclear material and equipment, which are not covered by the Comprehensive Safeguards Agreement. The conclusion of additional protocols should therefore be promoted also from the viewpoint of anti-terrorism.

(d) Multilateral Approaches to the Nuclear Fuel Cycle

50. Japan shares the view that the international nuclear non-proliferation regime urgently needs to be strengthened in order to maintain and improve the peace and stability of the international community. A strengthened regime is also vital for improving the security environment of Japan, which is directly faced with the threats posed by the nuclear programmes of the Democratic People's Republic of Korea. With regard to Multilateral Approaches to the Nuclear Fuel Cycle, Japan

appreciates the intensive efforts made by the International Expert Group to produce a report on the issue.

51. The Multilateral Nuclear Approaches report, in order to maintain that momentum, suggests five possible approaches and recommends that attention be given to them by the IAEA member States, by the IAEA itself, by the nuclear industry and by other nuclear organizations. Japan strongly believes that if further consideration is to be made by the international community on that issue, the following points, which were not sufficiently discussed by the International Expert Group, owing partly to its limited mandate, should be fully discussed.

52. First, careful examination is necessary on how the Multilateral Nuclear Approaches can contribute to the strengthening of the international nuclear non-proliferation regime. In particular, it is necessary to examine very thoroughly whether and how the Multilateral Nuclear Approaches will actually contribute to solving the issues of countries that have already violated their international obligations on non-proliferation, or of countries of proliferation concern that may fall in violation in the future.

53. Second, it is also important to examine whether the Multilateral Nuclear Approaches will not unduly affect the peaceful uses of nuclear energy by a non-nuclear-weapon State that carries out nuclear activities with the confidence of the international community by faithfully fulfilling its Treaty on the Non-Proliferation of Nuclear Weapons obligations and by ensuring high transparency of its nuclear activities. The Multilateral Nuclear Approaches should not affect the peaceful uses of nuclear energy by such a non-nuclear-weapon State, particularly when the State has ratified and is fully implementing both its comprehensive safeguards agreement and additional protocol, and, as a result, has been accorded a conclusion from the IAEA secretariat that there was no indication of diversion of declared nuclear material placed under safeguards or of undeclared nuclear material and activities for the State as a whole.

54. Finally, more study needs to be undertaken on how the Multilateral Nuclear Approaches can actually guarantee supply of nuclear fuel and services, given the fact that the supply of nuclear fuel and services can easily be affected by the international political situation and is therefore unpredictable by nature. Of particular importance is the issue of how the IAEA could be an effective guarantor of nuclear fuel and services under such circumstances.

55. Japan strongly believes that if the international community agrees to continue the discussion on the Multilateral Nuclear Approaches, the above-mentioned points should be addressed and thoroughly examined.

4. Peaceful uses of nuclear energy

56. Under the Treaty on the Non-Proliferation of Nuclear Weapons, all the States parties enjoy the inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with its articles I, II and III.

57. Japan is fully committed to respecting that right as long as the purpose of such development is exclusively peaceful. At the same time, however, recent cases relating to compliance with Treaty on the Non-Proliferation of Nuclear Weapons

obligations have indicated that the international community should be vigilant against possible exploitation of that right under the cover of "peaceful" purposes.

58. Safeguards by the IAEA have been incorporated as an essential part in the Treaty on the Non-Proliferation of Nuclear Weapons in order to prevent such exploitation. Therefore, it is vitally important for all the States parties to fully comply with all obligations under the Treaty, including those of non-nuclear-weapon States parties to accept safeguards, with a view to preventing the diversion of nuclear energy for peaceful uses to nuclear weapons or other nuclear explosive devices. In the light of the importance of that issue, Japan is ready to actively participate in discussions on how to address the issue of the possible exploitation of the right of peaceful uses of nuclear energy. However, any measure against such possible exploitation should not unduly affect the peaceful uses of nuclear energy by a non-nuclear-weapon State that carries out nuclear activities with the confidence of the international community by faithfully fulfilling its Treaty obligations and by ensuring high transparency of its nuclear activities.

59. Japan, as a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, has enjoyed and promoted the right of the use of nuclear energy for peaceful purposes with the confidence of the international community. Japan has fully complied with its IAEA comprehensive safeguards agreement and its additional protocol, and ensured high transparency of its nuclear activities, including those relating to plutonium, in order to increase international confidence.

60. The use of nuclear energy for peaceful purposes is vital, not only to securing a stable energy supply, but also to preventing global warming. Japan is pursuing the research and development of innovative nuclear systems that would be safer, more efficient, as well as more diversion and proliferation-resistant, and that would help to extend the scope of the use of nuclear energy to new areas such as hydrogen production.

61. Japan also places the highest priority on the safety of its nuclear activities and facilities. In that connection, Japan believes that the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management are of great importance and urges those countries that have not yet concluded those Conventions to do so as soon as possible. Japan wishes to note that the First Review Meeting on the Joint Convention, which took place in November 2003, in Vienna, contributed to enhancing the global safety of spent fuel and radioactive waste management. In that context, the Third Review Meeting pursuant to the Convention on Nuclear Safety, in April, 2005, also played a significant role in enhancing global nuclear safety. Furthermore, Japan recognizes the important role of the IAEA in strengthening the global "safety culture" taking into account the guidelines for safety and training, and will continue to make contributions to the IAEA's activities. In that context, Japan has greatly contributed to the IAEA's efforts, such as the Asian Nuclear Safety Network, in improving nuclear safety in the Asian region.

62. International technical cooperation in the area of the peaceful use of nuclear technology is one of the three pillars of the IAEA, and plays a key role in achieving the goal of the Treaty on the Non-Proliferation of Nuclear Weapons. Therefore, Japan will continue to make positive contributions towards the promotion of technical cooperation in that area. Japan has been a major contributor to the IAEA Technical Cooperation Fund and, since 1959, has paid its share of the Technical

Cooperation Fund in full. Japan urges the IAEA member States to pay in full and on time their respective shares of the Technical Cooperation Fund targets, on the basis of shared responsibility. Japan firmly believes that the IAEA member States and secretariat should make efforts to ensure that the Technical Cooperation Programme is implemented effectively, with efficient management by the IAEA secretariat. Japan will continue to take an active part in international cooperation in the peaceful uses of nuclear energy through various schemes, including the Regional Cooperative Agreement for Asia and the Pacific as well as the Forum for Nuclear Cooperation in Asia.

63. Japan acknowledges the significant role of the IAEA, not only in the area of power generation, but also in the field of human health, agriculture, food and sanitary and water resources, and will continue to make contributions to the IAEA's activities in those fields, in the hope that such activities will help to promote a better public understanding of the peaceful use of nuclear science and technology.

64. Given the international nature of nuclear activities, including power generation and human health, the transport of radioactive materials, which a number of countries have been conducting, is an essential element in the peaceful use of nuclear energy. Therefore, ensuring the smooth transport of radioactive materials is an important issue for all countries that support the peaceful use of nuclear energy. Transport of radioactive materials has been conducted based on the right of navigation established in international law, with the most prudent precautionary measures taken to ensure safety in conformity with the international standards and guidelines set by credible international organizations, such as the International Maritime Organization and the IAEA. In addition, relevant information on radioactive transport has been, and will be, provided on a voluntary basis to the States concerned to the fullest possible extent on the basis of the due consideration of safety, security and the smooth implementation of such transport.

65. Maritime and air navigation right and freedom should be reaffirmed, as provided for in international law and as reflected in relevant international instruments. Japan wishes to point out that its current regulations provide a good basis for an effective regulatory process and a historically excellent safety record, and that such a record can best be maintained by continuing efforts to improve the regulatory and operational practices, and to ensure full compliance with relevant standards and the strict implementation of guidelines, including the IAEA's regulations for the safe transport of radioactive material. Japan has requested that the IAEA organize a Transport Safety Appraisal Service mission this fiscal year, with a view to having an objective assessment of Japan's national regulations of transport safety. Japan fully associates itself with the International Action Plan for the Transport of Radioactive Material adopted by the IAEA Board of Governors in March 2004, based on the result of the International Conference on the Safety of Transport of Radioactive Material, held in Vienna in July 2003.

5. Universality and compliance

(a) Universality

66. Japan welcomes the accession to the Treaty on the Non-Proliferation of Nuclear Weapons by Cuba in November 2002 and by Timor-Leste in May 2003. Japan believes that their accession should lead to further strengthening of the Treaty

on the Non-Proliferation of Nuclear Weapons regime. The Treaty on the Non-Proliferation of Nuclear Weapons has attained almost worldwide universality. In 1998, the Treaty on the Non-Proliferation of Nuclear Weapons regime was challenged when India and Pakistan conducted nuclear-weapon test explosions. At the 2000 Review Conference, the States parties made it clear that those two countries would not receive new nuclear-weapon State status or any special status whatsoever. Japan continues to urge the two countries to join the Treaty on the Non-Proliferation of Nuclear Weapons as non-nuclear-weapon States, to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty. Lack of progress in the establishment of a weapons-of-mass-destruction-free zone in the Middle East also poses serious concern for the credibility of the Treaty on the Non-Proliferation of Nuclear Weapons. Strenuous efforts should be maintained to urge early accession to the Treaty on the Non-Proliferation of Nuclear Weapons by the remaining non-party States, namely India, Israel and Pakistan, in accordance with Security Council resolution 1172 (1998) and the Final Document of the 2000 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference. The non-States parties should also be urged to refrain from acts which would defeat the object and purpose of the Treaty as well as to take practical steps in support of the Treaty, pending their accession to the Treaty as non-nuclear-weapon States.

(b) Compliance

Democratic People's Republic of Korea

67. Japan expresses grave concern over the Democratic People's Republic of Korea's nuclear programs, which are a direct threat to Japan's national security and undermine peace and stability on the Korean peninsula and beyond. Japan also expresses deep concern regarding the Democratic People's Republic of Korea's decision in 2003 to withdraw from the Treaty, which continues to represent a serious challenge to the global non-proliferation regime. Furthermore, Japan expresses its utmost regret and deep concern over the statement of the Foreign Ministry of the Democratic People's Republic of Korea on 10 February 2005, which announced that it would suspend its participation in the Six-Party Talks for an indefinite period and that it had manufactured nuclear weapons. The development, acquisition or possession, test or transfer of nuclear weapons by the Democratic People's Republic of Korea can in no way be tolerated.

68. Japan urges the Democratic People's Republic of Korea to promptly come into compliance with the Treaty on the Non-Proliferation of Nuclear Weapons and completely dismantle all of its nuclear programmes, including its uranium enrichment programmes, in a permanent, thorough and transparent manner subject to credible international verification. Japan also urges the Democratic People's Republic of Korea not to further develop, test, produce, deploy or export missiles and related goods and services, and to maintain its missile moratorium indefinitely. Japan stresses that the Korean peninsula must be denuclearized, while the peace, security and stability of the region should be strengthened and the legitimate interests and concerns of the relevant parties should be satisfied. Furthermore, Japan calls on the international community not to engage in any transaction of proliferation concern with the Democratic People's Republic of Korea.

69. Japan emphasizes the importance of peacefully resolving that issue through diplomatic means within the framework of the Six-Party Talks. The Six-Party Talks

remains the most appropriate framework and should be fully utilized. Japan has long urged the Democratic People's Republic of Korea to expeditiously return to the Six-Party Talks without preconditions. Japan, together with other partners, will continue to make every effort towards a resolution by diplomatic efforts, primarily by contributing to the Six-Party Talks. Furthermore, Japan believes that, should there be no progress made towards resolving the Democratic People's Republic of Korea nuclear issue, the international community should be prepared to consider other measures necessary to peacefully resolve the situation.

Iran (Islamic Republic of)

70. Recognizing the efforts made by the international community, especially EU3 (France, Germany, United Kingdom)/EU and the Islamic Republic of Iran, to pursue the peaceful resolution of the Iranian nuclear issue, Japan recognizes the importance of the fact that Iran has voluntarily continued and extended its suspension of all uranium enrichment-related and reprocessing activities. At the same time, Japan reaffirms its strong concern that Iran's policy of concealment up to October 2003 has resulted in many breaches of Iran's obligations to comply with its safeguards agreement with the IAEA. There are still outstanding issues to be resolved and clarified.

71. Japan believes that, in order to dispel the serious concerns of the international community, it is essential for Iran to sincerely implement all the requirements of the relevant IAEA resolutions, including the suspension of its enrichment-related and reprocessing activities without exception. In that light, it is equally important that Iran promptly ratify its additional protocol, and continue to positively cooperate with the IAEA by providing adequate and complete information and any access deemed necessary by the IAEA. Japan expects the current negotiation process between EU3/EU and Iran to result in success. In particular, Japan considers it extremely important that Iran, through its negotiations with the EU3/EU, agree to provide sufficient "objective guarantees" that its nuclear programme is exclusively for peaceful purposes.

Libyan Arab Jamahiriya

72. Japan welcomes the decision of the Libyan Arab Jamahiriya, announced in December 2003, to abandon all of its weapons of mass destruction programmes, while expressing concern over Libya's past failures to meet the requirements of its safeguards agreement, which constituted non-compliance. Japan also welcomes Libya's signing of its additional protocol in March 2004 and its decision to implement the protocol before ratification, and calls upon Libya to promptly ratify the protocol. Japan strongly hopes that the Democratic People's Republic of Korea and those States that are subject to suspicion for developing weapons of mass destruction will follow Libya's example.

Treaty on the Non-Proliferation of Nuclear Weapons non-proliferation obligations

73. The Treaty has served as a cornerstone of international peace and security since its entry into force in 1970. The States parties' obligations required by the Treaty, therefore, must be fulfilled to the fullest extent. In that regard, the States parties should agree that in case of non-compliance of non-proliferation obligations

by a non-nuclear-weapon State, nuclear cooperation such as the transfer of the items in the Trigger List of the Zangger Committee Understandings and that of the Nuclear Suppliers Group Part I Guidelines should be halted. Japan welcomes the continuing, devoted efforts to update the Nuclear Suppliers Group Guidelines on that issue by the Nuclear Suppliers Group participating Governments.

6. Withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons

74. Japan takes the issue of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons extremely seriously. It should not be tolerated that a State withdraws from the Treaty after having developed nuclear-weapon capabilities under false pretences. Withdrawal of any State from the Treaty would significantly undermine the universality of the Treaty on the Non-Proliferation of Nuclear Weapons and the confidence of the States parties in the international nuclear non-proliferation regime based on the Treaty on the Non-Proliferation of Nuclear Weapons. The States parties should properly address that issue at the 2005 Review Conference and reaffirm that a State party which has withdrawn from the Treaty remains responsible for violations it committed while a party.

75. Japan believes that the best way to deal with that issue is to deter withdrawal by making it more costly. A State withdrawing from the Treaty should not be allowed to make military use of nuclear capabilities acquired under the pretext of the peaceful use of nuclear energy, while being a party to the Treaty, by virtue of article IV of the Treaty.

76. In that regard, Japan also believes that the States parties should urge any supplier country of nuclear material, facilities, equipment, etc., to make necessary arrangements entitling it to require the return of any nuclear material, facilities, equipment, etc., transferred prior to the withdrawal or their neutralization.

7. Nuclear-weapon-free zones and negative security assurances

(a) Nuclear-weapon-free zones

77. Japan supports the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at by the States of the regions concerned and on the condition that the establishment of such zones would contribute to regional stability and security. In that regard, lack of progress in the establishment of a zone free of weapons of mass destruction in the Middle East poses a serious concern. Japan supported, and continues to fully support, General Assembly resolution 50/66 of 12 December 1995 on the Middle East, which calls for the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems. Japan believes that progress in the establishment of a zone free of weapons of mass destruction in the Middle East will further strengthen the credibility of the Treaty on the Non-Proliferation of Nuclear Weapons.

78. Japan is firmly committed to supporting the Middle East peace process, a key to achieving regional stability. Such stability is a vital factor in establishing conditions for a zone free of weapons of mass destruction. Japan will intensify

political consultation with the Israelis and the Palestinians in order to encourage their peace efforts and will assist the Palestinians to help them establish an independent State according to the Road Map.

79. Japan appreciates the efforts made by the countries of Central Asia to establish a nuclear-weapon-free zone in that region as contributing to the prevention of nuclear terrorism. Japan hopes that satisfying conclusions for all concerned States will be reached at the consultation between the five nuclear-weapon States and the five countries of Central Asia, and that such an outcome will be recognized as a new achievement in the field of disarmament and non-proliferation. In view of this, Japan has been supporting the work of the Department of Disarmament Affairs of the Secretariat in establishing a nuclear-weapon-free zone in Central Asia.

(b) Negative security assurances

80. It is important to consider and discuss security assurances for non-nuclear-weapon States of the Treaty on the Non-Proliferation of Nuclear Weapons, based on Security Council resolution 984 (1995) as well as the relevant declarations of nuclear-weapon States. From that viewpoint, Japan supports the idea that a programme of work, containing the establishment of an ad hoc committee on negative security assurances, will be agreed upon at the Conference on Disarmament.

8. Strengthening dialogue with civil society and future generations

81. In order to advance disarmament and non-proliferation, it is essential to gain the understanding and support of young people who will lead future generations, as well as civil society as a whole.

82. Japan welcomes the report of the Secretary-General entitled "United Nations Study on Disarmament and Non-proliferation Education", which was prepared by the Group of Governmental Experts on Disarmament and Non-proliferation Education. The report stresses the importance of education on disarmament and non-proliferation for future generations and contains practical recommendations on the promotion of disarmament and non-proliferation education and training. Japan has been making various efforts to contribute to the implementation of those recommendations, such as inviting disarmament educators from overseas. During the United Nations Disarmament Conference held in Osaka in August 2003 and in Sapporo in July 2004, Japan co-sponsored with the United Nations a "Citizens' Forum on Disarmament and Non-proliferation Education".

83. Japan, together with Egypt, Hungary, Mexico, New Zealand, Peru, Poland and Sweden, submitted working papers on disarmament and non-proliferation education at the second and third sessions of the Preparatory Committee for the 2005 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference as well as to the 2005 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference.

84. In that regard, over the past 20 years, Japan has invited more than 550 participants in the United Nations disarmament fellowship programme to Hiroshima and Nagasaki, providing these young people, who will be responsible for future disarmament diplomacy, with the opportunity to understand the tragic devastation

and long-lasting consequences caused by atomic bombs. Japan intends to continue to make such efforts.

85. A regional disarmament conference is also an effective means to enhance awareness of the issue of disarmament in regions concerned. Every year, Japan supports the United Nations Conference on Disarmament Issues in a local city, thereby providing a valuable opportunity for distinguished disarmament experts, not only from the Asia and Pacific region, but also from around the world, to engage in useful discussions.

86. Japan attaches importance to the constructive role played by civil society in promoting nuclear non-proliferation and nuclear disarmament. In view of the importance of dialogue with non-governmental organizations, Japan appreciates that, on the basis of the agreement at the 2000 Review Conference, a non-governmental organization session is being held during this Review Conference.